

SB 11

SD 1



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

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The Twenty-Sixth Legislature, State of Hawaii
The Senate
Committee on Ways and Means

Testimony by
Hawaii Government Employees Association
March 1, 2011

S.B. 11, S.D. 1 – RELATING TO
THE DEPARTMENT OF
THE SHERIFF

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the amendment to S.B. 11, S.D. 1 made by the Committee on Public Safety, Government Operations and Military Affairs.

The deputy sheriffs we represent consistently maintain that a Corrections and Law Enforcement Department as established through Act 211, SLH 1989, does not serve the needs of our State. Prior to that time, the deputy sheriffs were part of the Judiciary. As the law enforcement function of the Public Safety Department seems to be subordinate to its responsibilities for administering and operating the correctional system, perhaps it is time to reexamine whether Law Enforcement is appropriately situated.

The sizeable budget deficit the State is facing makes the establishment of a new department impractical at this time. Therefore, we support appointing a task force to address the proper placement of the law enforcement function. The task force can review the situation and make recommendations to the Legislature.

Thank you for the opportunity to testify in support of S.B. 11, S.D. 1.

Sincerely,

Nora A. Nomura
Deputy Executive Director

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 8:17 AM
To: WAM Testimony
Cc: meh_cps@hotmail.com
Subject: Testimony for SB11 on 3/1/2011 9:20:00 AM

Testimony for WAM 3/1/2011 9:20:00 AM SB11

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: Michael Hirst
Organization: Individual
Address:
Phone:
E-mail: meh_cps@hotmail.com
Submitted on: 2/28/2011

Comments:
Senator David Y. Ige, Chair
Senator Michelle Kidani, Vice Chair

NOTICE OF DECISION MAKING

DATE: Tuesday, March 1, 2011
TIME: 9:20am
PLACE: Conference Room 211
State Capitol
415 South Beretania Street

Chair Ige, Vice-Chair Kidani, and Members of the Committee

I wanted to take this opportunity to once again ask for your strong support of SB 11, which would create a department specifically for the State of Hawaii Sheriff(s).

For as long as the sheriff division has been a part of the Department of Public Safety (DPS) it has been on a constant struggle to find its mission and a voice. The division as it currently stands is little more than a small cog on a very large wheel that is the Department of Corrections by another name. One need only examine the budget breakdown within the department to understand where assets and resources are directed, and with that also go the prioritization of the departments' interests. It can hardly come as a surprise to find our department leaders necessarily focused on issues and concerns that relate to nearly 90% of the departments budget. The result as so often been the case is that the sheriff divisions' needs is all but forgotten.

Recent leadership changes have not been able to rectify some of the issues raised by the audit, one of those being a lack of leadership and direction. I do not think it is a misstatement to say that our current leadership is primarily focused on the corrections side of the department. As it now stands the sheriff division is simply too small to be much concern to the rest of DPS, and the divisions future is tenuous at best if drastic changes are not forthcoming.

What the division is in desperate need of is the opportunity to chart its own course. SB11 is the first tenuous but necessary step on that course. By creating a separate department you will be allowing the sheriff division to prove the viability of its mission and the ability to perform its duties. Those of us in the division are under no illusion, creating a separate department will be a daunting task. It forces the sheriff division to stand on its own feet for the first time. The responsibility and accountability for our success or failure will be ours and ours alone.. We will have no one to blame but ourselves if we are not up to the task. But those of us in the division hope that those of you in a position to make these changes understand something.

We are ready for this; indeed many of us have waited years hoping in vain through each legislative session for this sort of opportunity. As recent history has shown status quo has not and will not work. The men and women of this division are ready to create our own future. We know that it will be difficult and that it won't happen overnight, but the members of this division are willing and determined. Given the chance we can make this happen. What we are asking the committee for, is that chance.

Thank you for the opportunity to testify on this important matter.

Michael Hirst, Deputy Sheriff II

TESTIMONY ON SENATE BILL 11, SD1
RELATING TO THE DEPARTMENT OF THE SHERIFF

Senate Committee on Ways and Means
Senator David Ige, Chair

Tuesday, March 1, 2011: 9:20 AM
State Capitol, Conference Room 211

Senator Ige and Members of the Committee:

I am in strong support of Senate Bill 11, SD1 which would create a transitional taskforce to separate the Sheriff Division from the Department of Public Safety and create a new Department of the Sheriff. This would clearly separate the administration of corrections and law enforcement, which have no direct correlation between the two functions. This is an essential first step towards mitigating the risks associated with a law enforcement organization.

These operational and administrative problems faced by the Sheriff Division are not new. These same issues have been ongoing since being placed within the Department of Public Safety through Act 211, SLH 1989. The inability to address and resolve these issues over the past 20 years points to a deeper, systemic problem which creates a situation that nearly ensures failure.

The State Auditor's, June 2010, Report #10-06, "Audit of the Department of Public Safety, Sheriff Division" stated, "In 1987, prior to the formation of the Department of Public Safety, the Legislature created the Department of Corrections by removing correctional services from the Department of Social Services and Housing (DSSH). The Legislature determined that the state corrections program had grown too large and complex to remain under the umbrella of DSSH and that in order to "properly address the magnitude of the problems within the state corrections system, a separate department that can provide the focus and continuous attention the system desperately needs is essential." During that time, the Legislature initially sought to transfer the Office of the Sheriff, Capitol Security, and state law enforcement officers from the Department of the Attorney

General into the new department of Corrections. Concerns arose over the potential conflict between the new department's responsibility for corrections. It was argued that the transfer of law enforcement functions into the Department of Corrections was undesirable. Accordingly, state law enforcement functions were not included in the new department, and the legislation was amended to remove state law enforcement officers from the bill.

Nevertheless, two years later, the Legislature passed Act 211, SLH 1989, which made a single department, the Department of Public Safety, responsible for both vital functions of the preservation of public safety – law enforcement and corrections.

According to a 2005 Department of Public Safety report to the Legislature by Interim Director Richard Bissen, this created a situation in which the department “must attempt to establish resource priorities for each function without adversely impacting the other.” According to the previous Director of Public Safety, Clayton Frank, it is a challenge to manage both correctional and law enforcement in the same department since there is no direct correlation between the two functions.

More importantly, the separation of the law enforcement and corrections functions would allow the Department of Public Safety to, as intended by the 1987 Legislature, “properly address the magnitude of the problems within the state corrections system.” As noted in the 2005 Department of Public Safety report to the Legislature by Interim Director Richard Bissen, “no Department director seems to have stepped into the job with the breath and depth of knowledge and experience in both law enforcement and corrections. The issues relating to corrections, such as persistent overcrowding, offender treatment programs, inmate management, development of alternatives to incarceration, health care, and facility maintenance, are exceedingly complex and require the full focus of a director”. The report also stated, “For these reasons, a separate Department of Law Enforcement may create an administrative structure that could concentrate on managing available law enforcement resources without the distractions of managing correctional facilities and programs. It would also establish a solid foundation for needed growth, which would ultimately better protect the people of Hawaii”.

A review of how other states organize corrections and law enforcement responsibilities indicates that it is not common practice to place law enforcement and corrections responsibilities within the same organization.

Thank you for this opportunity to testify on this important matter.

Lieutenant Robin Nagamine

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 1:52 PM
To: WAM Testimony
Cc: tkong17@hotmail.com
Subject: Testimony for SB11 on 3/1/2011 9:20:00 AM

Testimony for WAM 3/1/2011 9:20:00 AM SB11

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: thomas kong
Organization: sheriff division
Address:
Phone:
E-mail: tkong17@hotmail.com
Submitted on: 2/28/2011

Comments:
Teparto Members of the Committee

I am writing you in favor of sb11 which will move us one step closer to the creation of a separate Department of the Sheriff. For years our division has been held down and suppressed by directors who are corrections minded with no vision or idea for the law enforcement division. Separating us from corrections will give us more control over our resources, especially our budget, which has been taken from us for years while being diverted to the corrections division. The control over our resources will allow us to coordinate and execute our law enforcement duties more efficiently and effectively, while making us more accountable to you our legislators, as well as the citizens of our great state.

Thank You,

Thomas Kong

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 12:26 PM
To: WAM Testimony
Cc: jpiimauna@yahoo.com
Subject: Testimony for SB11 on 3/1/2011 9:20:00 AM

Testimony for WAM 3/1/2011 9:20:00 AM SB11

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: Jeffrey Piimauna
Organization: Sheriff / Public Safety
Address:
Phone:
E-mail: jpiimauna@yahoo.com
Submitted on: 2/28/2011

Comments:

Members of the Committee:

I Strongly support Senate Bill 11 which would separate the Sheriff Division from Public Safety and creates a department of the Sheriff. This would be a step in the right direction for the proud men and woman of the Sheriff Division. I humbly ask this committee for your support.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 9:38 AM
To: WAM Testimony
Cc: Lacaden51@yahoo.com
Subject: Testimony for SB11 on 3/1/2011 9:20:00 AM

Testimony for WAM 3/1/2011 9:20:00 AM SB11

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: Frank Lacaden
Organization: Individual
Address:
Phone:
E-mail: Lacaden51@yahoo.com
Submitted on: 2/28/2011

Comments:

I am currently a Deputy Sheriff on the island of Oahu for approximately 13 years. I am in support of SB 11.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 9:56 AM
To: WAM Testimony
Cc: michael.v.decenzo@hawaii.gov
Subject: Testimony for SB11 on 3/1/2011 9:20:00 AM

Testimony for WAM 3/1/2011 9:20:00 AM SB11

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: Michael DeCenzo
Organization: Individual
Address:
Phone:
E-mail: michael.v.decenzo@hawaii.gov
Submitted on: 2/28/2011

Comments:

Aloha,

I, Deputy Michael DeCenzo fully support this bill, and ask that this committee support it as well.

Thank you,

Michael DeCenzo

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 9:16 AM
To: WAM Testimony
Cc: oakraiderm@yahoo.com
Subject: Testimony for SB11 on 3/1/2011 9:20:00 AM

Testimony for WAM 3/1/2011 9:20:00 AM SB11

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: Michael Oakland
Organization: Individual
Address:
Phone:
E-mail: oakraiderm@yahoo.com
Submitted on: 2/28/2011

Comments:

Aloha Chair Ige, Vice Chair Kidani and members of the committee. I am Mike Oakland and am in STRONG SUPPORT of this bill. I would like to basically stick to my original testimony, but I would like to request that a change be made that directs the Sheriff Division chair the "Transitional Task Force" rather than DPS. The reason for this is we know what we need and have a few models in mind. This will also help to ensure that DPS does not make the price tag over inflated. Personnel from the Corrections side of the house should not have a significant say in what the new dept may look like since it will not be their dept or their area of expertise.

Mahalo Nui Loa for the opportunity to testify, and if there are any questions please let me know as I am always available to assist in any way.

Mike Oakland

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 7:47 AM
To: WAM Testimony
Cc: d_wht1116@yahoo.com
Subject: Testimony for SB11 on 3/1/2011 9:20:00 AM

Testimony for WAM 3/1/2011 9:20:00 AM SB11

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: Dwight DuPont
Organization: Individual
Address:
Phone:
E-mail: d_wht1116@yahoo.com
Submitted on: 2/28/2011

Comments:

I fully support SB-11 to split the Sheriff Department and Corrections into separate entities.
Please support this bill.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 7:48 AM
To: WAM Testimony
Cc: res1vban@hawaiiantel.net
Subject: Testimony for SB11 on 3/1/2011 9:20:00 AM

Testimony for WAM 3/1/2011 9:20:00 AM SB11

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: Charles Among Jr
Organization: Individual
Address:
Phone:
E-mail: res1vban@hawaiiantel.net
Submitted on: 2/28/2011

Comments:

Aloha committee members, I humbly ask you to support this bill. Thank you for your time.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 7:50 AM
To: WAM Testimony
Cc: cwatarida@hotmail.com
Subject: Testimony for SB11 on 3/1/2011 9:20:00 AM

Testimony for WAM 3/1/2011 9:20:00 AM SB11

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: Chad Watarida
Organization: Sheriff Division
Address:
Phone:
E-mail: cwatarida@hotmail.com
Submitted on: 2/28/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 7:46 AM
To: WAM Testimony
Cc: cummingsohana@yahoo.com
Subject: Testimony for SB11 on 3/1/2011 9:20:00 AM

Testimony for WAM 3/1/2011 9:20:00 AM SB11

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: Albert CUMMINGS
Organization: Individual
Address:
Phone:
E-mail: cummingsohana@yahoo.com
Submitted on: 2/28/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 7:41 AM
To: WAM Testimony
Cc: chl86@yahoo.com
Subject: Testimony for SB11 on 3/1/2011 9:20:00 AM

Testimony for WAM 3/1/2011 9:20:00 AM SB11

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: Christopher Lee
Organization: Individual
Address:
Phone:
E-mail: chl86@yahoo.com
Submitted on: 2/28/2011

Comments:

I fully support SB-11 to split the Sheriff Department and Corrections into seperate entities.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 7:42 AM
To: WAM Testimony
Cc: Adrian.I.Kanoa@hawaii.gov
Subject: Testimony for SB11 on 3/1/2011 9:20:00 AM

Testimony for WAM 3/1/2011 9:20:00 AM SB11

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: Adrian Kanoa
Organization: Individual
Address:
Phone:
E-mail: Adrian.I.Kanoa@hawaii.gov
Submitted on: 2/28/2011

Comments:

I fully support SB-11 to split the Sheriff Department and Corrections into separate entities.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 7:43 AM
To: WAM Testimony
Cc: joeboy33@hotmail.com
Subject: Testimony for SB11 on 3/1/2011 9:20:00 AM

Testimony for WAM 3/1/2011 9:20:00 AM SB11

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: Joseph Lovell
Organization: Individual
Address:
Phone:
E-mail: joeboy33@hotmail.com
Submitted on: 2/28/2011

Comments:

I fully support SB-11 to split the Sheriff Department and Corrections into separate entities.
Please support this bill.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 7:44 AM
To: WAM Testimony
Cc: james.p.aipoalani@hawaii.gov
Subject: Testimony for SB11 on 3/1/2011 9:20:00 AM

Testimony for WAM 3/1/2011 9:20:00 AM SB11

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: James P. AIPOALANI
Organization: Individual
Address:
Phone:
E-mail: james.p.aipoalani@hawaii.gov
Submitted on: 2/28/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 7:45 AM
To: WAM Testimony
Cc: mokioku@yahoo.com
Subject: Testimony for SB11 on 3/1/2011 9:20:00 AM

Testimony for WAM 3/1/2011 9:20:00 AM SB11

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: Brandon M. MOKIAO
Organization: Individual
Address:
Phone:
E-mail: mokioku@yahoo.com
Submitted on: 2/28/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 7:45 AM
To: WAM Testimony
Cc: darryl.f.ng@hawaii.gov
Subject: Testimony for SB11 on 3/1/2011 9:20:00 AM

Testimony for WAM 3/1/2011 9:20:00 AM SB11

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: Darryl Ng
Organization: Individual
Address:
Phone:
E-mail: darryl.f.ng@hawaii.gov
Submitted on: 2/28/2011

Comments:

I fully support SB-11 to split the Sheriff Department and Corrections into separate entities.
Please support this bill.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 1:12 PM
To: WAM Testimony
Cc: thomas.cayetano@leo.gov
Subject: Testimony for SB11 on 3/1/2011 9:20:00 AM
Attachments: Circuit Court Personnel.doc

Testimony for WAM 3/1/2011 9:20:00 AM SB11

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: Thomas K Cayetano
Organization:
Address:
Phone:
E-mail: thomas.cayetano@leo.gov
Submitted on: 2/28/2011

Comments:

Please attached a list of the Sheriff's Office Personnel assigned to the First Circuit Court and the Hawaii Supreme Court buildings respectively; we are in full support of the intent of this purposed legislation.

To the honorable committee hearing SB11,

We the below listed personnel do hereby submit written testimony in support of HB 11 and its content. Please feel free

Sgt Michael Murota
Kimbrow Kim
Chester Dasalla
Deven English
Ben Villa
Stephen Hyunh
Donald Yanagi
Paul Mc Intire
Arnold Den Beste
James Kimura
Douglas Takayama

Sgt Lester Kekua
Thomas K Cayetano
Norman Demello
Derwin Gilman
Elson Honda
Lester Inouye
Anthony Kaahanui
Gavin Kaina
Benjamin Kaneaiakala
Mark Lionetti
Jeff Thiem
Tony Williams
Dean Yamashita